

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

XL SPECIALTY INSURANCE COMPANY, Plaintiff, - vs - JOHN R. LAKIAN, DIANE W. LAMM & KOBRE & KIM, LLP, Defendants.	ECF Case 14 Civ. 5225 (ANT)
--	---------------------------------------

**JOHN R. LAKIAN AND DIANE W. LAMM’S RESPONSE TO MOTION TO
INTERVENE BY MERRILL COMMUNICATIONS, LLC**

Defendants John R. Lakian (“Lakian”) and Diane W. Lamm (“Lamm”) file this response to the motion to intervene filed by proposed intervenor Merrill Communications LLC (“Merrill”) (Doc. No. 51). Lakian and Lamm do not oppose Merrill’s intervention in this matter. However, they do not concede that Merrill has any rights under the Policy. Lakian and Lamm reserve all rights to challenge Merrill’s claims to the Policy proceeds in the event this Court permits Merrill to intervene.

By: /s/ Brian J. Osias
Brian J. Osias
McCARTER & ENGLISH, LLP
4 Gateway Center
100 Mulberry Street
Newark, NJ 07102
Phone: 973.622.4444
Fax: 973.297.3995
E-mail: Bosias@mccarter.com
Attorneys for Defendants
John R. Lakian and Diane W. Lamm

DATED: October 24, 2014